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Held at the Palais des Nations, Geneva,
on Wednesday, 10 March 1993, at 10 a.m.

Chairman: Mr. ENNACEUR (Tunisia)

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The meeting was called to order at 10.40 a.m.

STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS OF SLOVENIA

1. The CHAIRMAN invited the Minister for Foreign Affairs of Slovenia to address the Commission.

2. Mr. PETERLE (Slovenia) said that his country considered respect for human rights to be one of the fundamental principles of democracy. For that reason, his Government was particularly committed to meeting the criteria of democracy and the legitimacy of State authority based on parliamentary pluralism. The competent international organizations had acknowledged that in Slovenia human rights were respected and there was a sincere concern for their implementation. The Republic of Slovenia would become a member of the Council of Europe in May 1993, placing it among those democracies that applied high standards in ensuring respect for human rights.

3. Following the end of the cold war, a wave of democratization had brought to the fore principles and values which guaranteed the emancipation of nations and the implementation of human rights. The imperative to respect human rights in Europe had already brought down the totalitarian and authoritarian regimes and had resulted in the creation of new democratic States, among them the Republic of Slovenia.

4. At its forty-seventh regular session, the General Assembly had adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (A/RES/47/135). That was an important achievement on the road to affirming the rights of minorities. The Republic of Slovenia attached particular importance to the question and believed that an equitable status for national minorities would contribute significantly to peace and stability in the world.

5. With regard to the current developments on the territory of the former Yugoslavia and the atrocities committed in the name of the rights of one of the peoples concerned, the Republic of Slovenia took the view that the international community was duty-bound to take immediate and concerted action, all the more so since there was a real danger that the war and the atrocities would intensify and even spill over into neighbouring areas. Slovenia welcomed the decision taken by the Government of the United States to play a more active role in putting an end to the war, and it also appreciated the recent United States air-drops of food and medicine to people living in the threatened areas.

6. The Republic of Slovenia had already taken in many war victims from the Republic of Croatia and the Republic of Bosnia and Herzogovina, and there were currently more than 70,000 refugees on Slovenian territory. In that context, Slovenia was grateful for assistance given to the refugees by Governments and non-governmental organizations.

7. In the area of human rights, priority should be given to prevention. Unfortunately, the international community still lacked institutional mechanisms for really preventing mass violations. The United Nations must give itself more effective means, and it must coordinate its activities in the field of human rights and work to elaborate a preventive diplomacy.

CONSIDERATION OF DRAFT RESOLUTIONS AND DECISIONS RELATING TO AGENDA ITEM 12

Draft resolution E/CN.4/1993/L.32

8. Mr. BLACKWELL (United States of America) introduced, on behalf of its sponsors, the draft resolution on the situation of human rights in the Sudan. Many reports confirmed that the situation of human rights in the Sudan had deteriorated in 1992 and in the early months of 1993. A wide variety of credible international human rights organizations had reported that a reign of terror had been carried out by government security forces in Juba and that hundreds of persons had been summarily executed, including a number of Sudanese employees of international relief agencies. The Khartoum regime was also committing serious human rights violations in the Nuba mountains, conducting a veritable "ethnic cleansing" operation against the Nuban people. The sponsors of the draft resolution also wanted to draw attention to the fast-growing humanitarian crisis in southern Sudan, where in many localities the situation was approaching a Somalia-like scenario. It was essential for the United Nations to act quickly to press the Government of the Sudan to open up relief corridors and to advance the dialogue begun in January with humanitarian relief agencies to ensure prompt delivery of food and medical supplies to those in need. Although access to information was difficult, the few observers who had been to the areas concerned had reported large numbers of deaths due to starvation and disease. Civilians not threatened by famine were often the victims of indiscriminate bombings, which continued unabated.

9. His delegation hoped that the draft resolution could be adopted without difficulty.

10. Mr. PACE (Secretary of the Commission) announced that Canada, Hungary, Poland, Romania and Switzerland, had joined the sponsors of the draft resolution.

11. Mr. SHIDO (Sudan) expressed his country's dissatisfaction with the draft resolution, its contents and the way in which it had been drafted and presented. The situation in the Sudan had been discussed under agenda item 12 within the framework of the confidential procedure provided for in Economic and Social Council resolution 1503 (XLVIII). A working group had studied the report of the independent expert on the situation in the Sudan and submitted a recommendation to extend his mandate for another year. Although the Sudan was only one of seven developing countries whose situation had been examined under the confidential procedure, the United States, singling it out for primarily political reasons, had asked the Commission to endorse the appointment of a special rapporteur to replace the independent expert whom the United States itself had proposed in 1992 and whose mission had not yet been completed. The Commission should allow the independent expert to finish his work before deciding on the future course of action with regard to the Sudan.

12. The Sudan did not see why it should agree to the visit of a special rapporteur, given the circumstances of his appointment.

13. The Commission must choose between a recommendation of a working group composed of five members of the Commission selected from the five regions of the world, and a proposal clearly designed to put an end to the Commission's mechanism. Furthermore, it was a proposal which denied a country its right to confidentiality, as guaranteed under paragraph 8 of resolution 1503 (XLVIII).

14. Lastly, the decision to stop the confidential procedure could have adverse consequences for the peace process under way. His delegation therefore requested a roll-call vote on draft resolution E/CN.4/1993/L.32 and hoped that the text would not be adopted.

15. The CHAIRMAN invited those members of the Commission who so desired to explain their vote before the vote.

16. Mr. HUSSAIN (Pakistan) said that Pakistan deplored human rights violations wherever they occurred. However, certain delegations sponsoring the draft resolution were applying a double standard in their approach to violations of human rights. The Government of the Sudan had made declarations in favour of a peaceful settlement of the conflict and peace talks were, in fact, under way. Pakistan would vote against the draft resolution.

17. Mr. PACE (Secretary of the Commission), referring to the financial implications of the draft resolution, said that the estimated cost of the activities envisaged in the draft amounted to US$ 86,000 in 1993 and US$ 78,000 in 1994. In addition, expenses for interpretation would amount to approximately US$ 45,000.

18. Mr. JIN Yongjian (China) said that Economic and Social Council resolution 1503 (XLVIII) set out a very complete procedure: allegations of human rights violations in a particular country were initially examined by the Working Group on Communications of the Sub-Commission and were then, as appropriate, transmitted by the Sub-Commission to the Commission on Human Rights to be studied by its Working Group on Situations. Lastly, the recommendations of the Working Group on Situations were examined by the Commission in private session.

19. However, the machinations of the delegation of the United States had made it impossible for the Commission to examine the report of its independent expert on the Sudan. Yet the independent expert himself thought that he should pursue his work, and the Working Group on Situations had proposed to extend his mandate by one year to enable him to maintain the contacts that he had established with the Government and people of the Sudan. For its part, the Government of the Sudan had indicated that it was prepared to continue cooperating with the independent expert and to provide him with all necessary assistance.

20. The Commission should therefore study the report of the independent expert and the recommendation of the Working Group on Situations and not, as

the United States wanted, examine in public session a draft resolution that was motivated by purely political considerations. His delegation could not accept draft resolution E/CN.4/1993/L.32.

21. Mr. NASSERI (Islamic Republic of Iran) said that the draft resolution was highly selective. It was clear that, for political reasons, a country was being taken to task when it was already facing enormous difficulties from having been virtually plunged into civil war. It was hard to see how a condemnation of the Government of that country could remedy the situation.

22. Moreover, the Sudanese authorities had themselves openly recognized that human rights violations were in fact occurring in the country, and they had expressed a readiness to take the necessary steps to put an end to them. Such a candid reaction was very rare, and the Commission should appreciate it.

23. Lastly, his delegation wondered why it was necessary to derogate from a procedure that called for the examination of that type of situation within the framework of the Working Group of the Commission established under resolution 1503 (XLVIII). As had been seen on a number of occasions recently, the recommendations of the Working Group on Situations had simply been set aside in favour of other initiatives. His delegation could not accept the draft resolution.

24. At the request of the representative of the Sudan, a vote was taken by roll-call.

25. The Republic of Korea, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Angola, Argentina, Australia, Austria, Barbados, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Cyprus, Czech Republic, Finland, France, Gabon, Gambia, Germany, Japan, Lesotho, Mauritius, Mexico, Netherlands, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zambia.

Against: Bangladesh, China, Cuba, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Malaysia, Pakistan, Sudan.

Abstaining: Burundi, Guinea-Bissau, India, Kenya, Mauritania, Nigeria, Sri Lanka, Syrian Arab Republic.

26. Draft resolution E/CN.4/1993/L.32 was adopted by 35 votes to 9, with 8 abstentions.

27. Mr. SHIDO (Sudan) thanked those delegations that had supported his country. As for the others, the Sudan appreciated that they had not been able to do otherwise: the Sudan was not the United States of America. From the very beginning, a least developed country had been targeted by the world's greatest Power. Nevertheless, the Sudan had continued to defend itself, not

because it had expected to win, but in order to show the unfair nature of the procedure. Yet the United States and the countries which supported it could not be more sympathetic towards the people of the Sudan than the Sudanese authorities themselves. For that reason, it was particularly saddening that the Government of the Sudan had been accused of intentionally causing the suffering of its people.

28. The situation in the Sudan had been caused in part by colonization and in part by the fact that fragile democratic formulas inconsistent with Sudanese cultural values had been imposed upon the country. But the Sudan was fighting to assert its identity and to rebuild a society in which the dignity of human beings and their divine rights were respected. Despite pressures and isolation, the Sudan had succeeded in maintaining its independence and autonomy and had even allowed its needy neighbours to benefit from its surplus. Thus, it would not deviate from its course.

29. None the less, the international community must beware of conspiracies designed to gain control of the United Nations system; they must beware of the politicization of human rights issues, a manoeuvre through which certain global Powers sought to install a new world order that they could fully dominate; and it must beware of attempts to create an alliance of the wealthy against the poor, the strong against the weak. All developing countries must stand together and struggle for a better world, free from all selectivity and bias.

30. Mr. REDZUAN KUSHAIRI (Malaysia) said that his delegation had voted against the draft resolution. The situation of human rights in the Sudan should have been examined in the framework of the procedure laid down in Economic and Social Council resolution 1503 (XLVIII), as recommended by the Working Group on Situations. Given the complexity of the situation, it was unwise to short-circuit the procedure by presenting a resolution marked by selectivity and partiality. Instead of adopting a decision that might well damage its credibility, the Commission should have encouraged the peace talks currently under way in the Sudan.

Draft resolution E/CN.4/1993/L.33

31. Mr. HESSEL (France), introducing draft resolution E/CN.4/1993/L.33 on behalf of its sponsors, said that the situation of human rights in Zaire constituted a serious obstacle to the democratic process in that country and remained a subject of deep concern for the international community. The Commission should therefore manifest its indignation not only on behalf of the victims of that situation, but also in the name of all those who were striving to promote respect for human rights and democracy in Zaire. Whereas the Commission today publicly condemned the situation of human rights in Zaire, tomorrow it might grant its full support to measures that might be taken to improve respect for those rights. In any event, the United Nations must be on the side of the Zairians. In conclusion, he expressed the hope that the proposed text would be adopted by consensus.

32. Mr. PACE (Secretary of the Commission) announced that Austria, the Czech Republic, Norway, Poland, Sweden and Switzerland had joined the sponsors of the draft resolution.

33. Draft resolution E/CN.4/1993/L.33 was adopted by consensus.

Draft resolution E/CN.4/1993/L.35

34. Mr. ESPER LARSEN (Observer for Denmark), introducing the draft resolution on the situation of human rights in the Islamic Republic of Iran on behalf of the member States of the European Community and the other sponsors, recalled that in 1984 the Commission had appointed a Special Representative to establish contact with the Government of that country and to report on the situation of human rights on the basis of the relevant information, including that provided by the Government. Initially, the Special Representative had not been allowed to visit Iran, but in 1989 the Iranian authorities had decided to improve their cooperation with the Commission, and since then the Special Representative had paid three visits to that country. In its resolution 1992/67, the Commission had decided to extend the Special Representative's mandate for a further year, and it had called upon the Islamic Republic of Iran to continue to cooperate with him.

35. While the Government of the Islamic Republic of Iran had responded to the Special Representative's request for information concerning allegations of human rights violations in Iran, for the previous year and more it had not permitted the Special Representative to visit the country. The sponsors remained deeply concerned about the violations of human rights, in particular the high number of executions and cases of torture, the standards applied in the administration of justice, the lack of guarantees of due process of law, the discriminatory treatment of certain groups, notably the Baha'is, because of their religious beliefs, and restrictions on freedom of expression, thought, opinion and the press. They had also taken into account the fact that, in its resolution 1992/15, the Sub-Commission had condemned the continuing grave violations of human rights committed by the Government of the Islamic Republic of Iran. As to the Special Representative, after retracing in his latest report (E/CN.4/1993/41, part III) developments in the situation of human rights in the Islamic Republic of Iran, he concluded that Iran had not given adequate follow-up to many of his earlier recommendations, and he therefore expressed the view that monitoring of the situation should be continued. For that reason, the sponsors proposed the extension of the mandate of the Special Representative for a further year.

36. The proposed text largely followed the resolutions of previous years, but also took due account of the Special Representative's latest report. Many paragraphs had been taken from General Assembly resolution 47/146 and Commission on Human Rights resolution 1992/67. Other paragraphs were based on specific information contained in the Special Representative's latest report.

37. The sponsors hoped that the Iranian Government would resume cooperation with the Special Representative in order to improve the human rights situation in the country.

38. Mr. NASSERI (Islamic Republic of Iran) said that the text of the draft resolution, if adopted, would prevent any future cooperation in relation to the situation of human rights in his country, although in fact a very good collaboration had begun. Then, in 1992, there had been a return to confrontation for purely political reasons, as he had had the occasion to point out in a statement that he had made under agenda item 12. If the Western countries really wanted to negotiate with the Islamic Republic of Iran, everything would be very simple, but the proposed text only had political designs.

39. As to the reasons for the concern expressed by the sponsors in paragraph 4, they were quite simply false. The executions to which reference had been made only concerned drug traffickers. Following eight years of war, the problem of drug trafficking had taken on considerable proportions in the Islamic Republic of Iran, particularly on its eastern borders. As he had already said, the drug barons had even gone so far as to assure the authorities of the country that "everything would be all right" if the authorities did not intervene! Was that really what the Western countries wanted?

40. It should also be recalled that some of the sponsors of the draft resolution, above all the United States and the United Kingdom, were themselves responsible for an incalculable number of deaths and injuries in the Islamic Republic of Iran, because for eight years they had encouraged Iraq to attack the Iranian civilian population. Those countries had supplied the aggressor with chemical weapons and the requisite technological equipment.

41. If the Western countries that had presented the draft resolution were really as concerned as they claimed to be about protecting the right to life and if they were prepared to accept criticism, he wondered why they had not tried to consult his delegation. All they had done was to express their anger at having been designated by name! It would have been wiser had those countries waited until 1994 to decide whether they were willing to assume their responsibilities and to see how the matter could be redressed and the victims of their own intrigues compensated. It would then have been possible to have a reasonable discussion. In the meantime, however, those countries had preferred to use ploys to push though the adoption of their proposal. In conclusion, he requested that the vote on draft resolution E/CN.4/1993/L.35 should be taken by roll-call.

42. Mr. HUSSAIN (Pakistan) speaking in explanation of vote before the vote, said that, in the draft resolution under consideration, Iran was being criticized for political reasons, under the pretence of so-called human rights considerations, essentially because the policies of that country displeased certain sponsors of the draft. Yet had those same sponsors been guided solely by their proclaimed objective of ensuring respect for human rights, they would have focused with the same zeal and energy on the regime that had preceded the Islamic revolution of 1975, notoriously one of the most repressive in the third world at the time. As a neighbouring country, Pakistan was very familiar with the situation in the Islamic Republic of Iran, a country with political institutions and regularly held elections. His delegation would vote against the draft resolution.

43. Mr. GUBARTALLA (Sudan) deplored the growing politicization of the Commission's debates, a tendency which did nothing to serve the noble cause of human rights. His delegation agreed with the representatives of the Islamic Republic of Iran and Pakistan about the Commission's lack of objectivity and would vote against the draft resolution.

44. At the request of the representative of the Islamic Republic of Iran, a vote was taken by roll-call on draft resolution E/CN.4/1993/L.35.

45. Gambia, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Australia, Austria, Barbados, Brazil, Canada, Chile, Costa Rica, Czech Republic, Finland, France, Germany, Japan, Mauritania, Mauritius, Mexico, Netherlands, Peru, Portugal, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Zambia.

Against: Bangladesh, China, Cuba, Indonesia, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Malaysia, Pakistan, Sudan, Syrian Arab Republic.

Abstaining: Angola, Burundi, Colombia, Cyprus, Gabon, Gambia, India, Lesotho, Nigeria, Poland, Republic of Korea, Sri Lanka, Tunisia, Uruguay.

46. Draft resolution E/CN.4/1993/L.35 was adopted by 23 votes to 11, with 14 abstentions.

47. Mr. LINDGREN ALVEZ (Brazil) said that his delegation had voted in favour of the resolution because it considered, in view of the testimony of the Special Representative, that there was reason to continue monitoring the situation of human rights in the Islamic Republic of Iran and because the Iranian Government had unfortunately refused to continue cooperating with the Special Representative, as it had done for three years. His delegation was aware of the important role that Iran had to play in the Middle East, both in the search for a political settlement of the various conflicts in the region and in the efforts needed to improve the human rights situation there. However, that had made cooperation with the Commission all the more necessary. Brazil encouraged the Islamic Republic of Iran to continue along the road upon which it had embarked when it had organized in Tehran in 1992 a training course on the drafting of reports submitted under the relevant international human rights instruments, and it should allow the Special Representative to visit the country.

Draft resolution E/CN.4/1993/L.37

48. Mr. SCHIFTER (United States of America), introducing draft resolution E/CN.4/1993/L.37 on the situation of human rights in Cuba, said that, as indicated in the draft, the 28 sponsors were deeply concerned at arbitrary arrests, beatings, imprisonment, harassment and governmentally organized mob attacks on human rights defenders and others in Cuba who were

engaged in the peaceful exercise of their rights. Fundamental human rights and individual liberties were being systematically violated in that country. Fortunately, the ideology on which the Cuban dictatorship was based was losing ground worldwide and had proved itself a failure in Cuba as elsewhere. That ideology had deprived the Cuban people of their civil and political rights and, at the same time, had denied them any opportunity to improve their standard of living.

49. Cuba claimed that it was the victim of "selective" treatment and that it was being picked on as a small country. But anyone familiar with the record of the Commission over the years, including the proceedings of the current session, would be well aware that a country's size was not an issue when the United States expressed concern about human rights violations. The draft resolution submitted to the Commission was essentially aimed at assisting the Cuban people. As everyone knew, it was only a matter of time before the Cuban people, too, would enjoy all the guarantees of the Universal Declaration of Human Rights. By adopting the draft resolution, the Commission would send the Cuban people a message of solidarity with their aspirations for freedom and an expression of hope that a peaceful transition to full respect for human rights would take place soon in Cuba.

50. Mr. PEREZ NOVOA (Cuba) said that each year since 1987 the United States Government had sought to force upon the Commission on Human Rights a resolution that was essentially arbitrary and discriminatory, with the sole aim of attacking the Cuban revolution and denigrating its ideals. For four years, the Commission had checked those attempts and championed truth and justice. But at the previous two sessions, thanks to the position of hegemony now held by the United States as the world's only political and military super-Power, as a result of shameless pressure and manoeuvring as well as blackmail and direct threats by the White House, and also because of the attitude of some countries that sold their votes to the highest bidder, the Commission had adopted resolutions 1991/68 and 1992/61, abandoning its principles of impartiality, objectivity, honesty and non-discrimination for arbitrariness, injustice, falsehood and discrimination.

51. The draft resolution now before the Commission no more corresponded to political, economic and social realities in Cuba than it reflected a genuine interest in the fundamental rights of the Cuban people. The draft was the latest in a long list of attacks that the United States had been directing against Cuba for more than 34 years in order to crush the revolution. Was there any need to recall the economic sanctions imposed on Cuba since 1959, the financing of the mercenaries who had landed on Playa Girón in 1961, the unjust economic, commercial and financial blockade decided on in 1962, the financing and training of terrorist groups and attempts organized by the CIA to kill Cuban leaders, or the defamatory campaigns aimed at discrediting the Cuban revolution? That had all been the work of the United States, the sponsor of the draft resolution under consideration, which was indifferent to the suffering and destruction it had inflicted on the Cuban people, whose fundamental rights it was today claiming to defend so passionately.

52. A country that had massacred and exploited other peoples, that neglected the plight of millions of blacks, Latin Americans and indigenous persons living in its territory, that remained indifferent to the rights of hundreds

of thousands of street children in its large cities and that had allied itself with Governments practising such abhorrent policies as zionism and apartheid could have no concern for the human rights of a people whom it was harassing, moreover, with all sorts of hostile acts.

53. The Government of the United States had no moral or political right to judge the Cuban revolution, which had a long record of fighting social ills and defending the Cuban people's most legitimate rights to sovereignty and independence and their aspirations for a free and just society. As to the other sponsors of the arbitrary draft resolution, their hypocrisy in assessing respect for human rights as a whole was bared yet again to the world.

54. Lack of cooperation was being alleged against Cuba as an argument in favour of adoption of the draft resolution, a ploy that was grotesque and repugnant. As could be seen from the reports submitted by the various thematic rapporteurs and the documents produced by the Centre for Human Rights, and as evidenced above all by the fact that Cuba had invited the Commission to send a mission to the country, it had nothing to reproach itself with on the question of cooperation with the United Nations in the field of human rights. Cuba would, moreover, pursue that cooperation and continue to honour the commitments it had made as a Member State to the international organizations of the United Nations system. Such cooperation was being extended by Cuba, but it would not have it imposed upon it.

55. His delegation was well aware of the manoeuvres used to force upon the Commission such arbitrary and selective resolutions as the one now under consideration, but it did not give up hope that impartiality, objectivity and justice would prevail again in the Commission. In the name of faithfulness to the principles governing the Commission's work and in the name of a genuine spirit of cooperation and truth, his delegation called upon the sovereign and independent Governments represented in the room to save the Commission's credibility and prestige and make sure that it could not be accused of partiality and arbitrariness in adopting such a text.

56. His delegation's vote would reflect the firm decision taken by the Cuban people on 24 February 1993 in voting "yes" to the revolution, to sovereignty and independence, to their President and to national dignity. The Cuban people would never give in to those who wanted to impose their power on them; they would judge with due severity anyone who sought to subject them to such a farce and all those who were a party to it. The Cuban people would bow only to the martyrs of freedom and independence. His delegation would vote against draft resolution E/CN.4/1993/L.37.

57. Mr. PACE (Secretary of the Commission) said that Belgium, Luxembourg, Panama and Portugal had joined the sponsors of the draft resolution. The financial implications of paragraphs 6 and 11 of the draft were estimated at US$ 133,000 for 1993 and US$ 2,700 for 1994.

58. At the request of the representative of the United States of America, a vote was taken by roll-call on draft resolution E/CN.4/1993/L.37.

59. Sri Lanka, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Argentina, Australia, Austria, Bangladesh, Barbados, Bulgaria, Canada, Chile, Costa Rica, Cyprus, Czech Republic, Finland, France, Gabon, Gambia, Germany, Japan, Mauritius, Netherlands, Poland, Portugal, Republic of Korea, Romania, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against: Angola, China, Cuba, Guinea-Bissau, Indonesia, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Sudan, Syrian Arab Republic.

Abstaining: Brazil, Burundi, Colombia, India, Lesotho, Malaysia, Mauritania, Mexico, Nigeria, Pakistan, Peru, Sri Lanka, Tunisia, Venezuela, Zambia.

60. Draft resolution E/CN.4/1993/L.37 was adopted by 27 votes to 10, with 15 abstentions.

61. Mr. LINDGREN ALVES (Brazil), speaking in explanation of vote, said that, as in previous years, his delegation had abstained. The question of human rights in Cuba was still one of the most politicized issues under review by the Commission, and that prevented an impartial assessment of the real dimensions of the problem.

62. His delegation wished to take the opportunity to reaffirm that Brazil fully acknowledged the competence of the international human rights bodies and the binding nature of international instruments on human rights. All countries should cooperate with the human rights bodies and comply with their decisions. His delegation commended the Special Rapporteur, Mr. Carl Johan Groth, for his objective and impartial report on the human rights situation in Cuba and hoped the situation there would evolve in the near future so that the Special Rapporteur could enjoy the full cooperation of the Cuban authorities.

63. Mr. GARRETON (Chile) said that his delegation had voted in favour of draft resolution E/CN.4/1993/L.37 but regretted that it did not refer to one observation made by the Special Rapporteur in his report (E/CN.4/1993/39), namely that unilateral economic sanctions against Cuba hardly contributed to positive change in the human rights situation in that country.

Draft resolution E/CN.4/1993/L.80

64. Mr. DEKANY (Observer for Hungary) introduced the draft resolution, which updated the text of the resolution adopted the previous year on the same subject, namely cooperation with representatives of United Nations human rights bodies. The Commission reiterated its concern at reports of intimidation and reprisals against those wishing to avail themselves of procedures established under United Nations auspices for the protection of human rights, and against relatives of victims of human rights violations.

The Commission urged Governments to refrain from all acts of intimidation or reprisal against the persons concerned and also requested the representatives of human rights bodies as well as treaty bodies to help prevent such acts and provide an account of action taken by them thereon, in conformity with their mandates. Lastly, the Secretary-General was invited to submit a report to the Commission at its next session containing available information on instances of reprisals against individuals seeking to cooperate with the United Nations human rights bodies. Since the objectives of the draft resolution appeared to enjoy unanimous support, his delegation hoped that following the practice of previous years, the text would be adopted at the current session without a vote.

65. Draft resolution E/CN.4/1993/L.80 was adopted without a vote.

Draft resolution E/CN.4/1993/L.85

66. Mr. PEREIRA GOMES (Portugal), speaking on behalf of the sponsors, which had been joined by the United States of America, introduced the draft resolution concerning the human rights situation in Albania. The Commission had been considering that question since 1984 and changes had occurred since then towards a democratic system and respect for human rights. In the draft resolution, the Commission welcomed the positive steps being taken by the Government of Albania, which was encouraged to pursue the democratic process. The Commission also welcomed the Government's willingness to cooperate with it and with the Centre for Human Rights. The sponsors of the draft hoped that the text would be adopted by consensus.

67. Draft resolution E/CN.4/1993/L.85 was adopted without a vote.

Draft resolution E/CN.4/1993/L.87

68. Draft resolution E/CN.4/1993/L.87 was adopted without a vote.

Draft resolution E/CN.4/1993/L.90

69. Mr. LEMINE (Mauritania), introducing draft resolution E/CN.4/1993/L.90 concerning the human rights situation in southern Lebanon, said that in the draft the Commission expressed its concern at Israel's decision to expel 415 Palestinians to the occupied territory of southern Lebanon, in violation of Lebanese sovereignty, and at Israel's refusal to implement Security Council resolution 799 (1992), in which the Council demanded the immediate return home of the deportees. The Commission condemned the ongoing Israeli violations of human rights in southern Lebanon and demanded that Israel put an immediate end to those practices and withdraw from all Lebanese territory. It also demanded that the Government of Israel, as the occupying Power in southern Lebanon, comply with the Geneva Conventions of 1949 and facilitate the humanitarian task of the International Committee of the Red Cross and other humanitarian organizations in the region. Lastly, it requested the Secretary-General to inform the Government of Israel of the resolution and call upon it to provide all the information required concerning compliance therewith, and to report to the Commission at its fiftieth session on the results of his endeavours in

that regard. The Commission decided to continue the consideration of the question at its fiftieth session. The cosponsors hoped that the Commission would unreservedly support the draft resolution and adopt it by consensus.

70. Mr. PACE (Secretary of the Commission) announced that Madagascar had joined the sponsors of the draft resolution.

71. The CHAIRMAN said that, at the request of the representative of the United States of America, the draft resolution would be put to a vote.

72. Draft resolution E/CN.4/1993/L.90 was adopted by 50 votes to 1.

73. Mr. CHABEN (Uruguay) said that for his country, which had always respected human rights and fundamental freedoms, strict application of the principles of international law was the only way to ensure peaceful coexistence between all members of the international community and to guarantee respect for the essential principles of State sovereignty and self-determination. Accordingly, his delegation's vote on draft resolution E/CN.4/1993/L.90 should not be interpreted as reflecting its position on the substance of the problem.

Draft resolution E/CN.4/1993/L.92

74. Mr. ARTEAGA (Venezuela), introducing document E/CN.4/1993/L.92, said that the draft resolution was aimed at encouraging the international community to continue to keep a close watch on the situation of human rights in Haiti. In the draft, the Commission strongly condemned the overthrow of the constitutionally elected President, Mr. Aristide, and the use of violence and military coercion. It expressed its deep concern about the substantial deterioration of the human rights situation in Haiti since the coup d'état of September 1991 and supported the recommendations made by the Special Rapporteur in his report on the question. The Commission also expressed its full support for the international civilian observer mission of the United Nations and the Organization of American States responsible for monitoring the observance of human rights in Haiti and indicated that it awaited the outcome of the mission with interest. Lastly, it decided to continue its consideration of the situation of human rights in Haiti at its fiftieth session under agenda item 12 and requested the Special Rapporteur to submit a final report on the question at that session. His delegation hoped that the Commission would adopt the draft by consensus, thereby reflecting the international community's firm desire to see the restoration of democracy, freedom and respect for human rights in Haiti.

75. Mr. PACE (Secretary of the Commission) announced that Australia, Hungary, Jamaica, Japan, Luxembourg, Peru, Switzerland and Turkey had joined the sponsors of draft resolution E/CN.4/1993/L.92. With regard to the financial implications of the draft resolution, he indicated that the estimated costs relating to the extension of the Special Rapporteur's mandate and the requests made in paragraphs 10 and 11 would be US$ 121,000 in 1993 and US$ 54,000 in 1994. The cost of travel and subsistence for interpreters accompanying the Special Rapporteur on his mission would amount to US$ 30,000.

76. Ms. AMEGLIO (Panama) said that her delegation also wished to join the sponsors of draft resolution E/CN.4/1993/L.92.

77. Draft resolution E/CN.4/1993/L.92 was adopted without a vote.

Draft resolution E/CN.4/1993/L.93

78. Mr. RHENAN SEGURA (Costa Rica), introducing draft resolution E/CN.4/1993/L.93, said that the draft first of all recalled the measures adopted on the basis of the recommendations submitted by Mr. Volio Jiménez, the expert appointed by the Secretary-General to monitor developments in the situation of human rights in Equatorial Guinea. It then referred to the efforts made within the country to improve that situation.

79. After lengthy consultations with the African delegations, his delegation had decided to make a number of changes to the text of its draft. In the preamble, the sixth and tenth paragraphs should be deleted. In the seventh paragraph, the words "in exile" in the second line should be deleted. In the third line of the eighth paragraph, before the words "is not established", the words "with full respect for human rights and fundamental freedoms" should be added and the rest of the paragraph should be deleted. With regard to the operative part, paragraphs 2, 5, 7 and 13 should be deleted. In paragraph 3, the word "systematic" in the third line should be deleted and the words "and the lack of cooperation with the independent Expert" should be added at the end of the sentence. In paragraph 11, the existing text up to the words "measures permitting" in the fourth line should be replaced by: Encourages the Government of Equatorial Guinea to endeavour to facilitate the return of exiles and refugees and to adopt other measures permitting ...". Lastly, the words "unless there is a significant improvement in the situation of human rights and fundamental freedoms in Equatorial Guinea" should be added at the end of paragraph 18.

80. Mr. NGOMO MBENGONO (Equatorial Guinea) said that the changes made to the text of the draft resolution were the fruit of lengthy negotiations and consultations and took account of the actual situation in Equatorial Guinea. His delegation therefore endorsed them and requested the Commission to adopt the draft resolution, as amended, by consensus.

81. Mr. SCHIFTER (United States of America) said that his delegation was prepared to join in a consensus on the draft resolution, although it was disappointed by the changes made to the original text.

82. Mr. FLINTERMAN (Netherlands) said that he shared the views expressed by the representative of the United States.

83. Draft resolution E/CN.4/1993/L.93 was adopted without a vote.

Draft resolution E/CN.4/1993/L.94

84. Mr. TROTTIER (Canada), introducing draft resolution E/CN.4/1993/L.94 on behalf of the sponsors, who had been joined by Austria, Luxembourg and Turkey, said that, as in previous years, the draft stressed the importance of early-warning arrangements for the prevention of mass exoduses. It also took

account of recent developments in the United Nations system and the sponsors emphasized the important role played by the Department of Humanitarian Affairs in that field. In the text, the Commission expressed its concern about the problem of mass exoduses of refugees and displacements of population in many regions of the world, situations that were placing an increasingly heavy burden upon developing countries. It welcomed the action taken by the Office of the United Nations High Commissioner for Refugees in that area and its efforts to develop cooperation with the Commission and the Centre for Human Rights, as well as the statement made in that regard by the High Commissioner during the session. The Commission furthermore recognized that human rights violations were one of the multiple and complex factors that caused mass exoduses and, in that regard, welcomed the adoption by the General Assembly of resolution 41/70, wherein all States were called upon to promote human rights. The Commission again requested all its mechanisms to pay attention to problems resulting in mass exoduses (para. 3). Lastly, the Secretary-General was requested to prepare a report outlining the principal developments of relevance to that question in the United Nations system.

85. His delegation wished to thank all the delegations which had assisted it in preparing the draft resolution and hoped that, as in previous years, the Commission would adopt the text by consensus, thereby demonstrating the importance it attached to the issue. In conclusion, he wished to point out that the word "informed" in the third line of operative paragraph 4 should be deleted.

86. Mr. PACE (Secretary of the Commission) announced that Madagascar had joined the sponsors of the draft resolution.

87. Draft resolution E/CN.4/1993/L.94 was adopted without a vote.

The meeting rose at 1 p.m.